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Attorney Docket No. EIS-5799 DIV. 1 (1417G P 977)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

James Martucci et al.

Application No.: 10/720,765

Confirmation No.: 4921

Filed On:: November 24, 2003

Examiner: Unassigned

Art Unit: 3763

For: MEDICATION DELIVERY SYSTEM

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. §§ 1.97 AND 1.98**

Dear Sir:

Applicants submit herewith Form PTO-1449, "Supplemental Information Disclosure Statement," and a copy of each reference listed therein.

Since this Statement is being filed before the mailing date of a first Official Action on the merits, no fee is necessary.

Applicants are submitting this art because they recognize their duty to disclose pursuant to 37 C.F.R. §1.56. However, submission of this art and Statement is not an admission any item identified contains matter anticipating the invention or rendering the invention obvious to a person of ordinary skill in the art. Further, Applicants believe none of the art submitted herewith, alone or in proper combination, discloses, teaches or suggests the invention claimed by Applicants.

The citation of a reference is also without admission the reference is sufficient to teach one of ordinary skill in the art how to make or use the subject matter thereof or the reference is, or is considered to be, material to the patentability as defined in 37 C.F.R. §1.56(b).

Moreover, submission of these patents is without admission any of the patents constitutes statutory prior art or has an effective date prior to Applicants' effective date of invention.

Applicants specifically reserve all rights of privilege and confidence with respect to this matter. A submission of this document is not to be construed as a waiver of those rights. In

addition, the filing of this Statement is not to be construed as a representation a search had been made by Applicants or counsel.

Please charge any additional fees associated with this Communication or credit any overpayment to our Deposit Account No. 23-0280. A duplicate copy of this paper is enclosed for this purpose.

Respectfully submitted,

Dated: July 14, 2004

By: 

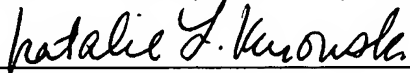
Paul J. Nykaza, Reg. No. 38,984
Wallenstein Wagner & Rockey, Ltd.
311 South Wacker Drive, 53rd Floor
Chicago, Illinois 60606-6630
312.554.3300
Attorneys for Applicant

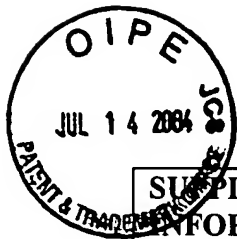
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Natalie L. Kurowski/204907.1



**SUPPLEMENTAL
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
PTO-1449

Sheet 1 of 1

Application No.: 10/720,765
Filing Date: November 24, 2003
First Named Inventor: James Martucci
Art Unit: 3763
Examiner Name: Unassigned
Attorney Docket Number: EIS-5799 DIV. 1
(1417G P 977)

U.S. PATENT DOCUMENTS

Examiner Initial	U.S. Patent Document Number	Name of Patentee or Applicant	Date of Publication

FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Country	Translation
	WO 01/39816 A2	06-07-2001	PCT	Yes
	WO 01/88828 A2	11-22-2001	PCT	Yes

OTHER PRIOR ART OR NON-PATENT LITERATURE DOCUMENTS

Examiner Initial	(including Author (in capital letters), Title of the article, Title of the item, Date, Pages, Volume-Issue number, Publisher, City and/or Country where published.)
	International Search Report, mailed April 14, 2004 from the European Patent Office, in connection with International Application No. PCT/US02/38904, filed May 12, 2002 by Applicant Baxter International Inc.

Examiner Signature: _____ Date Considered: _____

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.